

Message Text

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ACTION EB-08

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SUBJECT: CIVAIR: USG/FMG CIVAIR NEGOTIATIONS

REF: STATE 203406

1. IN SERIES OF INTENSIVE CONVERSATIONS THIS WEEK WITH ECON COUNSELOR AND TRANSPORT OFFICER, MINISTRY OF CIVIL AVIATION OFFICIALS HAVE RETREATED FROM HARDLINE POSITION THAT NO BILATERAL AIR DISCUSSIONS POSSIBLE UNTIL MID-JANUARY. URGENCY OF SITUATION REFLECTED IN FACT THAT MINISTRY HAD FIRST CATEGORICALLY REJECTED US PROPOSAL OF NOV. 7 OR 14, AND WAS THREATENING TO CANCEL PAN AMERICAN LANDING RIGHTS HERE IF PROVISIONAL ACCESS TO US AIRPORTS NOT GIVEN TO NIGERIAN CARRIERS FOR FLIGHTS IN JANUARY. MINISTRY OFFICIALS, HOWEVER, AS OF SEPT 9, AGREED TO HOLD BILATERAL AIR AGREEMENT TALKS IN LAGOS STARTING WEEK OCTOBER 31. NEGOTIATIONS IN WASHINGTON DURING WEEK OF NOVEMBER 7 RANK AS VERY DISTANT SECOND CHOICE BUT WOULD BE ACCEPTABLE IF NECESSARY. PREVIOUS COMMITMENTS OF LIMITED MINISTRY PERSONNEL MAKE MOST OF NOVEMBER VIRTUALLY IMPOSSIBLE FOR ANY NEGOTIATIONS. MINISTRY ALSO CONCEDES THAT PROVISIONAL TRAFFIC RIGHTS REQUEST SHOULD BE TREATED AS PART OF ACROSS-TABLE BILATERAL NEGOTIATIONS AND HAS AT LEAST
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TEMPORARILY BACKED OFF FROM LOWERING BOOM ON PAN AM.

2. WHILE IMPASSE NOW APPEARS BROKEN, ELEMENTS WHICH CONTRIBUTED TO PROBLEM SHOULD BE EXAMINED:

(A) IN PERIOD AUGUST 1-DECEMBER 31, 1977 NIGERIA EXPECTS TO TAKE DELIVERY OF FOUR US-MADE AIRCRAFT (ONE EACH BOING 707, 727, 737 AND DC-10). HAVING MADE SUCH A LARGE FINANCIAL OUTLAY

THE MINISTRY AND NIGERIA AIRWAYS ARE ACUTELY SENSITIVE OVER INABILITY TO PUT PLANES INTO USE. MOST LUCRETIVE AND PRESTIGIOUS ROUTE WOULD BE OVER NORTH ATLANTIC AND FMG IS DETERMINED TO PUZ DC-10 INTO SERVICE THERE AS EARLY AS POSSIBLE IN 1977.

(B) PAN AMERICAN HAS SENT ITS FLIGHTS INTO NIGERIA UNDER COVER OF A PROVISIONAL AGREEMENT DATING FROM 1968. NO FORMAL BILATERAL AGREEMENT EXISTS. FMG STATES THAT IT HAS BEEN VERY FLEXIBLE IN ALLOWING THE AMERICANS TO COME HERE AND BELIEVES THE USG SHOULD BE EQUALLY FLEXIBLE TOWARDS NIGERIA NOW THAT LATTER HAS CAPACITY TO FLY TO U.S.

(C) MINISTRY WANTED EARLY OCTOBER TIME FOR NEGOTIATIONS IN WASHINGTON BECAUSE THE FEW PERSONNEL COMPETENT TO HOLD SUCH TALKS WERE NEARLY FINISHING THE ICAO TALKS IN MONTREAL ON OCTOBER 5. GIVEN NEW, TOUGHER FMG LINE ON HOLDING DOWN TRAVEL EXPENSES AND OTHER OUTLAYS, MINISTRY THOUGHT IT IDEAL TIMING THAT TEAM COME TO WASHINGTON IMMEDIATELY AFTER MONTREAL. DISAPPOINTMENT OVER DENIAL OF OCTOBER SESSION COMPOUNDED BY MINISTRY'S INTERPRETATION OF PARAPHRASED TEXT OF STATE 190888 STATEMENTS TO EFFECT THAT MOST OTHER DATES "THIS FALL ALREADY FULLY COMMITTED" AND AUGUST 29 "ONLY AVAILABLE DATE IN FORE-SEEABLE FUTURE" LED NIGERIANS TO SUSPECT USG INTRANSIGENCE, A STANCE THEY WISHED TO RETURN IN KIND.

3. IN ANY CASE, MINISTRY'S INACCURATE VIEW THAT U.S. HAD BEEN CAUSING DELAYS IN STARTING NEGOTIATIONS HAS BEEN CORRECTED. LIMITED OFFICIAL USE

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THE RECORD IS STRAIGHT AND A MUCH FRIENDLIER COOPERATIVE ATTITUDE IS EVIDENT. WE STRONGLY URGE THAT FAVORABLE CONSIDERATION BE GIVEN TO HOLDING NEGOTIATIONS HERE STARTING OCTOBER 31 AS EVIDENCE OF AMERICAN INTEREST, GOOD FAITH AND ADAPTABILITY. IN FACE OF ORIGINALLY STUBBORN MINISTRY POSITION, EMBASSY PROPOSED THIS COMPROMISE BASING DATES ON KNOWLEDGE THAT NEGOTIATING TEAM WOULD BE FINISHING UP TALKS IN 3 WEST AFRICAN COUNTRIES AT THAT TIME (STATE 202084).

4. PLS ADVISE EARLIEST AS MINISTRY WAITING TO FINALIZE ITS OWN SCHEDULE. INFORMAL US-NIGERIAN CONTACT AT MONTREAL ICAO SESSION COULD BE BENEFICIAL FOR FURTHER UNDERSTANDING. WYMAN

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